IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WA.No. 895 of 2007()

AGAINST THE JUDGEMENT IN WPC.6014/2003 Dated 21/02/2007
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APPELLANT/PETITIONER:

M.P.DAMODARAN, FORMERLY RESEARCH STUDENT, DEPARTMENT OF ANTHROPOLOGY, KANNUR UNIVERSITY, THALASSERY CAMPUS, POST PALAYAD, KANNUR DIST. (PRESENT ADDRESS:- "RAM NIVAS" MOORIKKOVAL PARAMBIL, KOKKANISSERI, PAYYANNUR, KANNUR DIST.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS/ RESPONDENTS:
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1. VICE CHANCELLOR OF KANNUR UNIVERSITY, KANNUR, KANNUR DIST.

2. KANNUR UNIVERSITY REPRESENTED BY THE REGISTRAR, KANNUR UNIVERSITY, KANNUR DISTRICT.

3. DR.ANAND BHANU, HEAD OF THE DEPARTMENT, DEPARTMENT OF ANTHROPOLOGY, KANNUR UNIVERSITY, KANNUR DIST.

4. MAHENDRAKUMAR M.S., GUEST LECTURER, DEPARTMENT OF ANTHROPOLOGY, KANNUR UNIVERSITY, KANNUR DIST.

5. BINDU RAMACHANDRAN, GUEST LECTURER,
DEPARTMENT OF ANTHROPOLOGY,
KANNUR UNIVERSITY, KANNUR DIST.

BY ADV. SRI.M.SASEENDRAN, SC, KANNUR UNIVERSITY
BY ADV. SHRI V.V. ASOKAN
BY ADV. SHRI GRACIOUS KURIAKOSE.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & K.T. SANKARAN, JJ.

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W.A. No.895 OF 2007

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Dated this the 3rd April, 2007

J U D G M E N T

Kurian Joseph, J:

Appellant is the petitioner in the Writ Petition . Issue raised in the appeal pertains to the selection and appointment to the post of Lecturer in Anthropologoy in the second respondent's University.

2. Though several grounds are taken for attacking the judgment, main thrust is on one aspect regarding inclusion of two experts in the Selection Committee. It is the contention of the appellant that going by the Clause 4(ii)(b) of Chapter III of the Kannur University First Statutes, though the Selection Committee should have two outside experts chosen by the Syndicate, the experts chosen by the Syndicate, to be included in the Selection Committee, are Visiting Professors . Learned single Judge has taken the view that they are not Guest Lecturers, but they are Visiting Professors and in that view of the matter, the requirement in the Statutes is complied with.

Though we do not fully agree with the view taken by the learned single Judge, we are not inclined to admit this Writ Appeal on that sole ground, since in any case the petitioner is not going to be benefited. There is no point in issuing a futile writ. In that view of the matter, we dismiss this Writ Appeal, however clarifying that the ratio in **Ajitha vs. Mahatma Gandhi University** (**2001 (2) KLT 878**) should be followed in letter and spirit in the selections hereafter to be conducted by the University. The experts should be outsiders who do not have any current connection with the University.

Sd/-
KURIAN JOSEPH,
JUDGE.

Sd/-
K.T. SANKARAN,
JUDGE.

/true copy/

P.A. TO JUDGE

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